

Notice of Allowability

Application No.

10/767,098

Examiner

B. Clayton McCraw

Applicant(s)

TRUJILLO ET AL.

Art Unit

3744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/30/2004.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1/30/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

REASONS FOR ALLOWANCE

1. Claims 1-18 are allowed.
2. The following is an examiner's statement of reasons for allowance: As per claim 1, the prior art fails to teach the combination of a housing with rails and pans for storing food and water and a water chilling system including a compressor, water reservoir with a cooling coil disposed therein, a plurality of pipes channeling the chilled water out of the reservoir and into tubes for positioning for cooling the food products therein. As per claim 8, the prior art fails to teach the invention as described above in combination with a plurality of clamps attachable to the tubes for selectively controlling the water flow. As per claim 14, the prior art fails to teach the invention as described above in combination with a plurality of thermometers connectable to the pans for displaying temperature.

Although Williams (US 3,908,749) teaches the combination of a food storage cart (10) with rails (20 and 21) and pans (18) with a chilled air unit (52) for providing chilled air into the volume of the food storage cart, Williams fails to teach a water chilling system including a reservoir and plurality of pipes for circulating the chilled water to cool the volume of the storage area.

Although Perez et al. (US 4,280,335) teach a combination of cooling system (Figure 1) and food storage compartments with a plurality of pipes (32) that circulate the chilled water to food storage areas (54), Perez et al. fail to teach a vapor compression refrigeration system chilling the circulated water, as their cooling system is merely an ice maker. Perez et al. also fail to teach a small scale system preferable to a storage cart, as their system is for an entire supermarket.

Although Halterman et al. (US 5,797,270) teaches the combination of a chilling device meant to thaw frozen meat and a small food storage compartment (20), Halterman et al. fail to teach the chilled water circulating through a plurality of tubes, as their device has the food in direct contact with a large volume of water.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

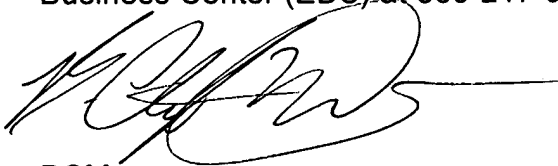
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Ohkawara (US 6,508,068) teaches a chilling system; Perman (US 2,197,315) teaches a central cooling system; and Carr (US 2003/0182949) teaches a system circulating an aqueous solution.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. Clayton McCraw whose telephone number is (571) 272-3665. The examiner can normally be reached on M-F 8:30AM-5:00PM.


6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BCM
2/9/2006



CHERYL TYLER
SUPERVISORY PATENT EXAMINER